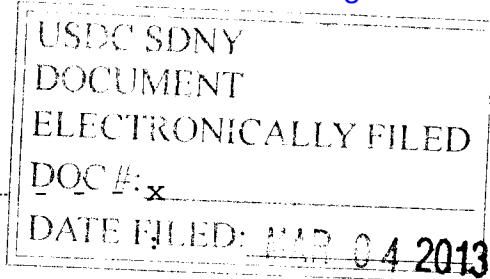


UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

- v. -

MAHAMADOU DAFPE, and  
MOHAMED SANGARE,  
a/k/a "Malick Sangare,"  
a/k/a "Jean Tape,"  
a/k/a "Desire Kakou,"  
a/k/a "Ali Sidibe,"

: INDICTMENT

: 13 Cr.

13 CRIM 150

Defendants.

COUNT ONE

(Conspiracy to Steal Government Funds)

The Grand Jury charges:

1. From at least in or about February 2010, through in or about January 2013, in the Southern District of New York and elsewhere, MAHAMADOU DAFPE, and MOHAMED SANGARE, a/k/a "Malick Sangare," a/k/a "Jean Tape," a/k/a "Desire Kakou," a/k/a "Ali Sidibe," the defendants, and others known and unknown, willfully and knowingly did combine, conspire, confederate and agree together and with each other to commit an offense against the United States, to wit, to violate Title 18, United States Code, Section 641.

2. It was a part and an object of the conspiracy that MAHAMADOU DAFPE, and MOHAMED SANGARE, a/k/a "Malick Sangare," a/k/a "Jean Tape," a/k/a "Desire Kakou," a/k/a "Ali Sidibe," the defendants, and others known and unknown, would and did embezzle,

Judge Buchman

steal, purloin, and knowingly convert to their use and the use of another, vouchers, money and things of value of the United States and a department and an agency thereof, to wit, the United States Treasury Department, the value of which exceeded \$1,000, and would and did receive, conceal, and retain the same with intent to convert it to their use and gain, knowing it to have been embezzled, stolen, purloined and converted, to wit, DAFPE and SANGARE engaged in a scheme to file fraudulent income tax returns to obtain fraudulent tax refunds.

Overt Acts

3. In furtherance of said conspiracy and to effect the unlawful object thereof, the following overt acts, among others, were committed in the Southern District of New York and elsewhere:

a. From in or about June 2010, through in or about November 2011, MAHAMADOU DAFPE, the defendant, deposited personal checks from bank accounts funded with fraudulent electronic tax refunds into bank accounts DAFPE opened in Manhattan, New York.

b. From in or about February 2011 through in or about August 2012, MOHAMED SANGARE, a/k/a "Malick Sangare," a/k/a "Jean Tape," a/k/a "Desire Kakou," a/k/a "Ali Sidibe," the defendant, using various aliases, received fraudulent tax refunds via electronic deposits into bank accounts controlled by him.

c. From in or about June 2011 through in or about November 2011, MOHAMED SANGARE, a/k/a "Malick Sangare," a/k/a "Jean Tape," a/k/a "Desire Kakou," a/k/a "Ali Sidibe," the defendant, made payments from his bank accounts which were funded by fraudulent tax refunds to bank accounts controlled by MAHAMADOU DAFPE.

(Title 18, United States Code, Section 371.)

COUNT TWO  
(Theft of Government Funds)

4. From at least in or about February 2010, through in or about January 2013, in the Southern District of New York and elsewhere, MAHAMADOU DAFPE, and MOHAMED SANGARE, a/k/a "Malick Sangare," a/k/a "Jean Tape," a/k/a "Desire Kakou," a/k/a "Ali Sidibe," the defendants, knowingly and willfully did embezzle, steal, purloin, and convert to their use and the use of another, vouchers, money and things of value of the United States and a department and an agency thereof, to wit, the United States Treasury Department, the value of which exceeded \$1,000, and did receive, conceal, and retain the same with intent to convert it to their use and gain, knowing it to have been embezzled, stolen, purloined and converted, to wit, DAFPE and SANGARE fraudulently obtained tax refunds.

(Title 18, United States Code, Sections 641 & 2.)

COUNT THREE  
(False Claims Conspiracy)

5. From at least in or about February 2010 through in or about January 2013, in the Southern District of New York and elsewhere, MAHAMADOU DAFPE, and MOHAMED SANGARE, a/k/a "Malick Sangare," a/k/a "Jean Tape," a/k/a "Desire Kakou," a/k/a "Ali Sidibe," the defendants, and others known and unknown, knowingly entered into an agreement, combination, and conspiracy to defraud the United States, and a department and agency thereof, by obtaining and aiding to obtain the payment and allowance of false, fictitious and fraudulent claims, to wit, DAFPE and SANGARE engaged in a scheme to electronically file false tax returns to obtain fraudulent tax refunds and to file tax returns with fraudulent dependents.

(Title 18, United States Code, Section 286.)

COUNT FOUR  
(Conspiracy to Commit Wire Fraud)

6. From at least in or about February 2010 through in or about January 2013, in the Southern District of New York and elsewhere, MAHAMADOU DAFPE, and MOHAMED SANGARE, a/k/a "Malick Sangare," a/k/a "Jean Tape," a/k/a "Desire Kakou," a/k/a "Ali Sidibe," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other, to violate Title 18, United States Code, Section 1343.

7. It was a part and an object of the conspiracy that MAHAMADOU DAFPE, and MOHAMED SANGARE, a/k/a "Malick Sangare,"

a/k/a "Jean Tape," a/k/a "Desire Kakou," a/k/a "Ali Sidibe," the defendants, and others known and unknown, having devised and intending to devise a scheme and artifice to defraud, and for obtaining money and property by means of false and fraudulent pretenses, representations and promises, would and did transmit and cause to be transmitted by means of wire, radio, and television communication in interstate and foreign commerce, writings, signs, signals, pictures, and sounds for the purpose of executing such scheme and artifice, to wit, DAFFE and SANGARE caused fraudulent tax returns to be electronically filed to obtain fraudulent electronic tax refunds.

(Title 18, United States Code, Section 1349.)

COUNT FIVE  
(Aggravated Identity Theft)

8. From at least in or about February 2010 through in or about January 2013, in the Southern District of New York and elsewhere, MAHAMADOU DAFFE, and MOHAMED SANGARE, a/k/a "Malick Sangare," a/k/a "Jean Tape," a/k/a "Desire Kakou," a/k/a "Ali Sidibe," the defendants, willfully and knowingly did transfer, possess, and use, without lawful authority, a means of identification of another person, during and in relation to a felony violation enumerated in Section 1028A(c), to wit, DAFFE and SANGARE, used the names and personal identifying information, including social security numbers, of other persons during and in relation to the offenses charged in Counts Three and Four of this Indictment.

(Title 18, United States Code, Sections 1028A and 2.)

FORFEITURE ALLEGATION

9. As the result of committing the offenses alleged in Counts One through Four of this Indictment, MAHAMADOU DAFPE, and MOHAMED SANGARE, a/k/a "Malick Sangare," a/k/a "Jean Tape," a/k/a "Desire Kakou," a/k/a "Ali Sidibe," the defendants, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 981(a)(1)(C) and Title 28, United States Code, Section 2461, all property, real or personal, constituting or derived from proceeds traceable to the offense.

(Title 18, United States Code, Section 981 and Title 28, United States Code, Section 2461.)

SUBSTITUTE ASSET PROVISION


10. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

- (1) cannot be located upon the exercise of due diligence;
- (2) has been transferred or sold to, or deposited with, a third person;
- (3) has been placed beyond the jurisdiction of the Court;
- (4) has been substantially diminished in value; or
- (5) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the above forfeitable property.

(Title 18, United States Code, Section 981; Title 21, United States Code, Section 853; and Title 28, United States Code, Section 2461.)

  
FOREPERSON

  
PREET BHARARA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

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a/k/a "Malick Sangare,"  
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a/k/a "Desire Kakou,"  
a/k/a "Ali Sidibe,"

Defendant.

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INDICTMENT

13 Cr.

(18 U.S.C. §§ 371, 641, 286, 1349,  
1028A.)

PREET BHARARA

United States Attorney.

A TRUE BILL

Kamreen Puri  
Foreperson.

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3/14 - Filed Indictment

on

S. J. G. V. E. T. B. N.